

Substitute for HOUSE BILL No. 2366

By Committee on Judiciary

2-21

AN ACT concerning marriage; relating to common-law marriages; amending K.S.A. 2001 Supp. 23-101 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2001 Supp. 23-101 is hereby amended to read as follows: 23-101. (a) The marriage contract is to be considered in law as a civil contract between two parties who are of opposite sex. All other marriages are declared to be contrary to the public policy of this state and are void. The consent of the parties is essential. The marriage ceremony may be regarded either as a civil ceremony or as a religious sacrament, but the marriage relation shall only be entered into, maintained or abrogated as provided by law.

(b) *Except as provided further, the state of Kansas shall not recognize a common-law marriage contract if either party to the marriage contract is under 18 years of age.*

Sec. 2. K.S.A. 2001 Supp. 23-101 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.